

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re application of Trinity Broadcasting)
of Florida, Inc. for renewal of license) File No. BRCT-911001LY
of station WHFT-TV, Miami, Florida)

TO THE COMMISSION

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JAN - 2 1992

PETITION TO DENY

Federal Communications Commission
Office of the Secretary

The Spanish American League Against Discrimination ("SALAD"),
by its attorneys and pursuant to §§307 and 309 of the
Communications Act of 1934 and §73.3584 of the FCC's Rules and
Regulations, respectfully requests the Commission to designate the
above referenced application for evidentiary hearing and, based on

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Because TBN's misconduct stems in large part from its efforts to evade the multiple ownership rules (47 CFR §74.3555(d)(1)) and are attributable to officials who personally operate several stations, all TBN and TBN controlled stations should be required to file early renewal applications.^{2/} See Leflore Broadcasting, Inc., 36 FCC2d 101 (1972). These applications may then be designated for hearing and thereafter denied.

On May 10, 1991, Dan Borowicz, later joined by several Philadelphia area Hispanic organizations, filed a petition to deny an application to assign WFGI-TV, Wilmington, Delaware, to NMTV. That Petition and all subsequent filings related to it are quite voluminous, and they are incorporated by reference herein.

The record in that proceeding revealed the following.

1. NMTV owns a full power station in Portland, Oregon, formerly owned another in Odessa, Texas, and holds numerous LPTV licenses acquired based on a lottery preference for minority ownership. NMTV is actually a transparent minority front, cynically and brazenly used by TBN to allow it to acquire and control more than twelve full power television stations and numerous LPTV stations. NMTV is entirely controlled by Paul Crouch, the President of both TBN and Trinity. Crouch's secretary (or Assistant), Jane Duff, and one Philip Aguilar, a pastor essentially controlled by and indebted to Crouch, are entirely passive, insuring Crouch's domination of NMTV.

^{2/} It is time that official notice were taken of TBN's modus operandi so that its misconduct will not become "capable of repetition, yet evading review." Southern Pacific Terminal Co. v. ICC, 219 U.S. 498 (1911). See also Nebraska Press Ass'n. v. Stuart, 427 U.S. 539 (1976); Roe v. Wade, 410 U.S. 113, 124-25 (1973) (holding that the natural termination of a pregnancy did not moot an action challenging restrictions on abortions). The Commission has not hesitated to take note of misconduct by application mills. See Abuses of the Commission's Processes, 3 FCC Rcd 4740 (1988) (designating investigation into applications promoted by Dr. Bernard Booser) and the numerous issues designated in cases against Sonrise applicants.

2. Articles in the Orange County Register, and extensive statements of eyewitnesses, show that TBN's supposed 1/3 owner, Aguilar, with TBN's help, operates a bizarre

3. Crouch, Aguilar (obviously) and probably Duff all knew that Aguilar was a convicted felon, yet for years TBN and NMTV never reported this fact to the Commission. They waited until a newspaper was about to reveal Aguilar's criminal record before reporting the matter. TBN and NMTV never explained why they deliberately withheld this critical information from the agency.
4. In response to a Commission investigation of NMTV's bonafides, NMTV and TBN officials made several misrepresentations and evasive statements. Paul Crouch attempted to portray Aguilar as having been selected for the NMTV Board because of his broadcast experience, when that experience principally involved serving as the subject for a TV special produced and copyrighted by TBN. Aguilar, attempting to explain away his statement that he is a "figurehead" for NMTV, made the ridiculous statement that he really meant to say that he was a "figurehead" for his own church.
5. An NMTV check, intended for the purchase of WTGI-TV, was signed by TBN's treasurer, Allan Brown, not NMTV's treasurer, Jane Duff. An affidavit of Jane Duff characterizes this as an "irregularity" even though the meaning of the TBN Treasurer's signature on the check (which was converted into a cashier's check) is that ~~TBN's Treasurer must be on NMTV's signature card~~

Respectfully submitted,

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January 2, 1992

DECLARATION OF OSVALDO SOTO

Re: WHFT-TV, Miami, Florida

I am the Chairman of the Board of the Spanish American League Against Discrimination ("SALAD"). SALAD is the principal Hispanic civil rights organization in Dade County, Florida.

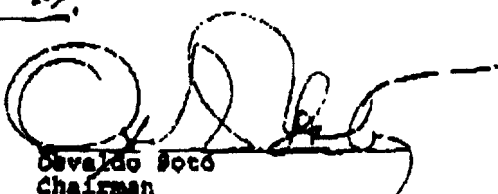
I hereby subscribe to the foregoing Petition to Deny. The facts stated therein are true to my personal knowledge except where identified as having been based upon official records such as statistical data and material on file with the Federal Communications Commission or with Petitioner's Representatives, or as having been based on evidence provided by particular witnesses.

I am a viewer of WHFT-TV.

I and other members of SALAD would be seriously aggrieved if the Petition to Deny is not granted. If the Petition is not granted, members of SALAD, including myself, will continue to be served by a television station whose owner is hostile to opportunities for genuine minority broadcast station ownership and minority program service in the public interest. That hostility is manifested by the paucity of local public interest programming on WHFT-TV and, in particular, by the paucity of local programming on WHFT-TV serving local minority needs.

This statement is true to my personal knowledge and is made under penalty of perjury under the laws of the United States of America.

Executed 12-31-91.



Osvaldo Soto
Chairman
Spanish American League
Against Discrimination

I, David Honig, hereby certify that I have this 2nd day of January, 1992 caused a copy of the foregoing "Petition to Deny" to be delivered via U.S. First Class Mail, postage prepaid, to the